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Attorney Docket No.: 2004367-0034

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Knaack, *et al.* Examiner: To be assigned  
Serial No.: 10/771,736 Art Unit: 3738  
Filing Date: February 4, 2004  
Title: POLYURETHANES FOR OSTEOIMPLANTS

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450  
Sir:

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on November 16, 2004.

  
\_\_\_\_\_  
Susan M. Dinsmore

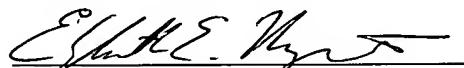
**TRANSMITTAL**

Enclosed herewith please find:

1. Executed Establishing Right of Assignee to Take Action (37 CFR 3.73(b)) (2 pgs.);
2. Copy of Executed Assignment (6 pgs.); and
3. Return postcard.

Please charge any fees associated with this filing, or apply any credits, to our Deposit Account No. 03-1721.

Respectfully submitted,

  
\_\_\_\_\_  
Elizabeth E. Nugent, Ph.D.  
Registration Number 43,839

Choate, Hall & Stewart  
Exchange Place  
53 State Street  
Boston, MA 02109  
(617) 248-5000  
Dated: November 16, 2004



ATTORNEY DOCKET NO.: 2004367-0034

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Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**ESTABLISHING RIGHT OF ASSIGNEE TO TAKE ACTION (37 CFR 3.73(b))**

The assignee of the entire right, title and interest, **Osteotech, Inc.** hereby seeks to take action in the Patent and Trademark Office in the above matter.

Ownership by the assignee is established as follows:

documents already recorded in the PTO on \_\_\_\_\_.

Reel \_\_\_\_\_ Frame \_\_\_\_\_; and

Reel \_\_\_\_\_ Frame \_\_\_\_\_

documents separately submitted for recordal to the PTO (a copy of these documents is attached).

**STATEMENT**

I, a person authorized to sign on behalf of the assignee, have reviewed the evidentiary documents referred to above and certify that, to the best of my knowledge and belief, title is mine/ours as assignee who seeks to take further action.

  
\_\_\_\_\_  
Signature

James C. Russell  
\_\_\_\_\_  
Name

EVR/C80  
\_\_\_\_\_  
Title

11-5-07  
\_\_\_\_\_  
Date

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## A S S I G N M E N T

In consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned, David Knaack, John Winterbottom, David Kaes, Todd Boyce, and Lawrence A. Shimp, hereby

Sell, assign and transfer to Osteotech, Inc., a New Jersey corporation, having a place of business at 51 James Way, Eatontown, NJ 07724, its successors, assigns and legal representatives, all hereinafter referred to as the ASSIGNEE, the entire right, title and interest for the United States and all foreign countries, in and to any and all inventions which are disclosed in the application for United States Letters Patent filed February 4, 2004 and entitled "Polyurethanes for Osteoimplants," application serial no. 10/771,736 (attorney docket no. 2004367-0034) and in and to said application and all divisional, continuing, substitute, renewal, reissue and all other applications for Letters Patent which have been or shall be filed in the United States and all foreign countries on any of said inventions; and in and to all original and reissued patents which have been or shall be issued in the United States and all foreign countries on said inventions including the right to apply for patent rights in each foreign country and all rights to priority.

Agree that said ASSIGNEE may apply for and receive Letters Patent for said inventions in its own name; and when requested, without charge to but at the expense of said ASSIGNEE, agree to carry out in good faith the intent and purpose of this assignment by executing all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all said inventions, by executing all rightful oaths, assignments, powers of attorney and other papers, by communicating to said ASSIGNEE all facts known to us relating to said inventions and the history thereof, and generally by doing everything possible which said ASSIGNEE shall consider desirable for aiding in securing and maintaining proper patent protection for said inventions and for vesting title to said inventions and all applications for patents and all patents on said inventions, in said ASSIGNEE.

Hereby request the Honorable Commissioner of Patents and Trademarks to issue said Letters Patent to said ASSIGNEE.

Covenant with said ASSIGNEE that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by us, and that full right to convey the same as herein expressed is possessed by us.

Dated: 6/25/04

Dated: 6/25/04

Dated: 6/25/04

Dated: \_\_\_\_\_

Lhh

David Knaack

Valerie Brooks

Witnessed by:

Charity Ellis

John Winterbottom

Witnessed by: \_\_\_\_\_

Witnessed by: \_\_\_\_\_

David Kaes

Witnessed by: \_\_\_\_\_

Witnessed by: \_\_\_\_\_

Todd Boyce

Witnessed by: \_\_\_\_\_

Witnessed by: \_\_\_\_\_

Dated: \_\_\_\_\_

David Knaack

Dated: \_\_\_\_\_

Witnessed by: \_\_\_\_\_

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Witnessed by: \_\_\_\_\_

Dated: 6/11/04

John Winterbottom  
John Winterbottom

Dated: 6/11/2004

Christopher Caff

Witnessed by:

Dated: 6/11/2004

ValBrooks  
Witnessed by:

Dated: \_\_\_\_\_

David Kaes

Dated: \_\_\_\_\_

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Todd Boyce

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David Knaack

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John Winterbottom

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Witnessed by:

Dated: 6/22/04

D. R. Kaes  
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David Kaes

Dated: 6/22/04

Valerie M. Brumley  
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Witnessed by:

Dated: 6/22/04

Todd Boyce  
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Witnessed by:

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Todd Boyce

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David Knaack

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John Winterbottom

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David Kaes

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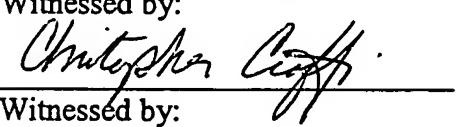
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Todd Boyce

Dated: 6/11/04

  
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Valerie M. Brooks

Dated: 6/11/04

  
\_\_\_\_\_  
Christopher Clegg  
\_\_\_\_\_  
Witnessed by:

Dated: 6/15/04

Jeanne L. Heng

Lawrence A. Shimp

Dated: 6/15/04

Carl L.

Witnessed by:

Dated: 6/15/04

ValewBrooks

Witnessed by:

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